

Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis Internal Management & Fiscal Responsibility

June 15th 2006 2:00 P.M Commission Chamber

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	Item No.	Subject Matter	Background	Analysis / Comments / Questions	LA
1.	2(A) 2(F)	Vehicle Surplus	 2A District 4, for Young Tigers (not for profit), value \$3,900 2F District 12, Dade County Police Benevolent Assoc.(not for profit), value amount unknown (1954 ford sedan) 		MBM
	2(H)		• 2H District 9, Victorious Way (not for profit), value \$2,500		
2.	2(B)	Capital Development Projects funded with CDBG funds	 This resolution directs the County Manager to identify all capital development projects which were allocated 2006 Community Development Block Grant Dollars, and recommend alternate sources to fund those projects. The Manager is also directed to prepare an amendment to the FY 2006 Action Plan reflecting the recapture of all CDBG funds allocated to capital development projects. The Manager shall consider, among other funding sources, General Obligation Bonds to fund the capital development projects. The Manager will return to the BCC with a report identifying all possible funding sources to fund capital development projects during the 2006-2007 Budget Process. 	 What type of "capital development" projects will be affected by this resolution? Has the department compiled a list of projects which will be affected by this ordinance? What alternate sources of funding might be tapped to satisfy this resolution besides GOB funds? 	BM JTS
3.	2(C)	\$50,000 for the Roxcy Bolton Rape Treatment Center	This resolution directs the County Manager to allocate and fund \$50,000 in the County Budget for fiscal year 2006-2007 and subsequent fiscal years for the Roxcy Bolton Rape Treatment Center.	 Roxcy O'Neal Bolton founded the first rape treatment center in the United States based at Jackson Memorial Hospital in 1974. 	BM
4.	2(D)	Amending Contract Effective Date Resolution	 Currently, a contract cannot be effective until the time for making a motion to reconsider has expired One of the elements of the rules of procedure for reconsideration include: An action of the Commission may be reconsidered only at the same meeting the action was taken or the next regular meeting thereafter (14 days or more) Another element of the rules of procedure for reconsideration 	According to the County Attorneys Office, this item will not preclude a commissioner (of the prevailing side) to make a motion to reconsider even after the effective time to reconsider has expired.	МВМ



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	110.	Subject Water	 include: A motion to reconsider may be only made by a commissioner who voted on the prevailing side of the question and must be concurred in by a majority of those present at the meeting The proposed amendment shortens the expiration date from 14 to 10 days, unless a Commissioner (of the prevailing side of the vote to approve the contract) files with the Clerk of the Board, a notice of intent to reconsider approval of contract, within 10 days after the adoption of the resolution approving the contract 	Analysis / Comments / Questions	
5.	2(E)	Amending "4-day rule" code	Waiver of the "4-day rule" on certain items originating from the Procurement Management Department to include bid awards and bid waivers.		MBM
6.	2(G)	Changing the Deadline to Seek Approval for Award of Successor Contracts	To change the deadline from 60 to 30 days for the request of such approvals (successor contracts or contract extensions)	To reduce the number of contracts from lapsing and provide the departments with more time to identify and respond.	MBM
7.	2(I)	Repealing Section 2-11.17 of the Code relating to residency requirements	This Ordinance repeals Section 2-11.17 of the Code of Miami-Dade County, Florida, as amended by Ordinance No. 05-88, eliminating the residency requirement for Miami-Dade County employees. Since the inception of the residency requirement in 1998, the BCC has granted four (4) different amendments exempting certain classifications. Section 2-11.17 of the Code, relates to the residency requirement for new County employees, providing a 15-month deadline for new hires to establish residency in Miami-Dade County. This section does not apply to employees hired prior to the adoption of the Ordinance in 1999. The Employee Relations Department (ERD) publishes the residency	 Monroe, Broward and Palm Beach Counties do not have a residency requirement. According to the Employee Relations Department, they have encountered problems with recruitment in the areas of auditing, financial, information technology and engineering trades with the current residency requirement in place. Number of waivers requested since 1999: 33; Number of waiver requests granted: 22 These waiver requests were granted for humanitarian reasons. (For example, taking care of an elderly or ill spouse or parent, special education needs of a child.) 	



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			requirement in all employment signed by prospective employ processing. Employees who do deadline may be dismissed.	ees and notarized during th	eir	financial hard	er requests were denied because dship is not a humanitarian reason.	
			The County Manager is authorized for humanitarian reasons and must the Commission on a quarterly bas reviews each application on a cast their recommendations to the Manager is authorized.	t submit a list of granted waivers sis. A Residency Waiver Commit se-by-case basis, and then forwa	to tee	& Rehabilitation De Department and Mia exempt from the resi	classifications within the Corrections partment, Miami-Dade Fire ami-Dade Police Department are idency requirement. Currently worn employees in MDFRD and yees in MDPD.	
			The Aviation Department may hir Dade-Collier Training and Tr Department may hire plans exam trades who reside in Broward Cour	ransition Airport. The Buildiners and building inspectors in	ing	reading and provide and police compla	, BCC Item 7(G) passed on second des an exemption to all dispatchers int officers within the Miami-Dade t and Miami-Dade Fire Rescue	
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8.	7(A)	Report regarding the Repeal of the Residency Requirement	 Staff was instructed to conduct an analysis of the factors that impact Miami-Dade County's workforce. This report provides information regarding Miami-Dade County's labor market conditions and economic trends. The Employee Relations Department has prioritized a project to identify the County's employment needs. The table below reflects information provided by the Employee Relations Department: 				BM ENO	
			Total Workforce Miami-Dade County	# of Workforce Residing Outside of Miami-Dade County	# of Emp of Mia been g	ployees living outside ami-Dade who have grandfathered since otion of residency	# of Employee living outside of Miami-Dade County since adoption of residency ordinance	
			32,296	3,541		3,058	483	



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			The tables below reflect information gathered prequirement:	The tables selow reflect information gathered pertaining to Broward and raining Beach Countries, which do not he			
			Broward	# of Workforce Residing Outside Broward	% of Workforce Residing Outside of Broward	Total Workforce	
			Broward County (Board of County Commissioners)	719	11%	6,731	
			Sheriff's Office (includes fire and police)	1271	22%	5,709	
			Tax Collector	14	7%	209	
			Property Appraiser	16	7%	234	
			Total	2020 (16%)		12,883	
			Palm Beach	# of Workforce Residing Outside of Palm Beach	% of Workforce Residing Outside of Palm Beach	Total Workforce	
			Palm Beach County (Board of County Commissioners and Fire Department)	611	11%	5,532	
			Sheriff's Office	403	11%	3,650	
			Tax Collector	10	4%	261	
			Property Appraiser*	8	3%	272	
			Total	1032 (11%)		9,715	
9.	2(J)	Amend Administrative Order 3-21 to modify bid award posting procedures	 Currently, bid awards recommendations for corpurchases over \$25,000 up to \$100,000 were or Mondays (exclusively) The amendment extends purchases over \$25,00 \$250,000 and to post recommendations immediations 	nly posted on all im 00 up to	is is an effort to streamline the owing the flexibility of posting mediately and not wait until th	the recommendations	

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10.	3(A)	2005-2008 Collective	Wages: 1 st & 2 nd years 3% wage increase; 3 rd year 4% wage increase	BM	



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		Bargaining Agreement between the County and the Transport Workers Union, Local 291	Night Shift Pay Differential: Effective July 2007, the night shift pay differential for bargaining unit employees who work between 7:00 pm and 8:00 am will increase from the current \$.60 p/h to 5% above the base hourly rate.	
			Instructor Premium Pay: Effective July 2007, the premium pay provided to bargaining unit employees providing instruction to trainees, primarily bus operators and train operators, will increase from the current \$.35 p/h to one (1) pay step above the base hourly rate.	
			<u>Uniform Allowance:</u> Effective July 2007, the uniform allowance provided to certain bargaining unit employees will increase from the current \$205.00 annually to \$300.00 annually. Effective July 2008, it will increase to \$400.00 annually.	
			Tool Allowance: Effective July 2007, the tool allowance provided to certain bargaining unit employees required to provide their own tools, will increase to \$350.00 (previously \$275.00). Effective July 2008, it will increase to \$450.00.	
			Probationary Period: Effective July 2007, all full-time classified service bargaining unit employees hired, promoted or transferred into bargaining unit classifications will serve a one-year (26 pay periods) probationary period. (<i>Previously and until July 2007, certain classifications served 4 or 6 month probationary periods.</i>)	
			Work In A Higher Classification: Bargaining Unit employees temporarily working in a higher classification will be eligible to receive one (1) pay step increase. Also, the maximum out of class compensation shall be limited to two (2) pay periods unless approved by Dept. Director and ERD. (Previously did not need approval and there was no limitation on the number of pay periods.)	
			Contract Reopening: The Union will have the right to request the reopening of negotiations with respect to Article 1.6 Wages only. The County will have the right to reopen the Agreement to discuss issues relating to the implementation of the Enterprise Resource Planning (ERP) for a new countywide Human Resource (HR) System, performance based compensation projects, classification consolidation studies and County Pay Plan redesign.	
11.	3(B)	2005-2008 Collective Bargaining Agreement	Wages: 1 st & 2 nd years 3% wage increase; 3 rd year 4% wage increase	BM



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between the County, Miami-Dade Fire Re Department and the County Assoc. of Fir Local 1403	Assignment Certification Pay: Effective October 2006, Firefighting personnel who are State Certified Emergency Medical Technicians or State Certified Paramedics who do not have Department Paramedic Protocol Certification shall be paid 15% above their regular rate of pay.



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	· ·	Battalion Leave Days: The Department agrees to increase the total number of Battalion leave days (currently 39) in the pool available to all operational personnel by 3 additional days upon the establishment of any new Operational Battalion.	
		<u>Holiday Leave</u> : Effective October 2006, the total annual aggregate of all requests for payout of employees' accrued Holiday Leave will be increased from \$100,000 to \$150,000.	
		<u>Union Representatives</u> : Administrative Leave for Association representatives will be increased from 360 hours to 400 hours per month.	
		<u>Dispatchers:</u> Effective the first pay period immediately following ratification of this Agreement, Fire Rescue Dispatchers and Supervisors who are officially designated by the unit supervisor to act in a rank higher than their permanent rank and actually perform said duties shall receive a one-step increase.	
		Fire Rescue Dispatchers designated by the Dept. to train other employees will receive a one pay step salary supplement for each complete work shift in which active training is performed.	
		During the term of this Agreement, a labor management committee will form to explore and review alternative work scheduling processes. The County will conduct a comprehensive study regarding compensation, incentive pay and staffing levels, and agrees to reopen this Agreement to negotiate with respect to the results of the study.	
		<u>Contract Reopening</u> : The Agreement may be reopened at any time by either party with respect to, Performance Based Compensation Projects, classification studies, or County Pay Plan redesign.	
		The County will have the right to reopen the Agreement to discuss issues relating to the implementation of the Enterprise Resource Planning (ERP) for a new countywide Human Resource (HR) System.	
		The Union may request the reopening of negotiations with respect to the Support Specialty Pay Supplement under Article 50.2, if during the term of this Agreement FRS officially designates the classification of Fire Rescue Dispatcher eligible for "Special Risk" retirement.	

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12.	3(C)	Ordinance approving	Ordinance approving up to \$100 million in Sunshine loan for acquiring	• The Sunshine Commission was created by Interlocal	BM
		Sunshine Loan in an amount	capital equipment and capital improvements.	agreements among various counties and municipalities in	
		not to exceed \$100 million	Miami-Dade Fire Rescue \$31,100,000	Florida, pursuant to Chapter 163, Florida Statutes. The	



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		 Public Health Trust Equipment \$30,000,000 Performing Arts Center \$34,300,000 Solid Waste Management \$2,000,000 Other costs to be prorated among benefiting entities \$2,600,000 	Sunshine Commission enables Governmental Units to benefit from larger scale financing. It also provides a funding mechanism for the acquisition of property, equipment, other capital needs and refunding of higher interest rate debt.	
13. 3(D)	Restructuring of Seaport Sunshine Loans	This resolution approves the restructuring of five Sunshine State Loans between the County and the Sunshine Commission on behalf of the Seaport. A public hearing is being today, June 15, 2006, in connection with the approval of the restructuring, as is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. The resolution also authorizes the Finance Director to approve all final details of the Loan Agreement, after consulting with the Office of the County Attorney. The Sunshine Commission was created by Interlocal agreements among various counties and municipalities in Florida, pursuant to Chapter 163, Florida Statutes. The Sunshine Commission enables Governmental Units to benefit from larger scale financing. It also provides a funding mechanism for the acquisition of property, equipment, other capital needs and refunding of higher interest rate debt. The original loan amounts (for six Seaport loans) totaled \$372.995 million. These loans are secured by the County's covenant to budget and appropriate from available non-ad valorem County revenues and are being paid by Seaport operating revenues.	 The 1987 \$50 million Loan was not an amortizing loan, like the others, and has a "balloon" payment due in 2012. The outstanding balance is \$41.650 million. The 1995 Loan begins amortizing in 2012, the same year the 1987 Loan balloon payment is due. The restructuring of five of the Loans will enable the Seaport to accelerate the repayment of the 1987 Loan balloon payment by deferring the remaining four loans to 2015 and 2016. 	BM
14. 3(E)	Authorizing Issuance of \$600 Million Revenue	Proceeds from bond issuance will be used for the following: • Deposit to Construction Fund (refunding of CP Notes &	 Other Costs of Issuance \$17.0 million which include: (i) the municipal bond insurance premium; 	MBM



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Bonds	Additional projects) \$400 million Refunding of refunded Bonds \$120 million Capitalized Interest \$47.2 million Deposit to Reserve Account \$15.8 million Other Costs of Issuance \$17.0 million	 (ii) the reserve fund surety premium, if the use of a surety is more economical than cash funding the reserve fund; (iii) the underwriter's discount (commissions, fees and expenses) for purchasing the Bonds from the County; (iv) the fees and expenses of the County's consultants, including financial advisor, bond counsel, disclosure counsel, traffic engineers, consulting engineers and trustee; (v) any fees charged by the rating agencies; (vi) printing the Preliminary Official Statement and the final Official Statement; and (vii) the fees and expenses incurred by the Aviation Department (County) in connection with the preparation and sale of the bonds. 	

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15.	3(F)	Waiver of Formal Bid Procedures	 Section 4 Emergency Purchases 4.1 Janitorial Services to vendor Florida Assoc. of Rehab Facilities Inc. d/b/a Respect of Florida. Amount: \$282,000 for 3 month term to be funded by MDPD. Justification: This emergency contract served as a bridge between prior contract (which could not be extended) and the successor contract 4.2 Debris Removal at Robert King High to vendor Thomas Maintenance, Inc. Amount: \$124,750 for a term of 10-20-05 until completion to be funded by Federal Housing dollars. Justification: Department had exhausted its allocation and the Director of MDHA issued the contract to be considered by BCC at a subsequent meeting. 4.3 Janitorial Services for Transit Garages and Office Bldg to vendor Banks Enviro Cleaning, Inc. Amount: \$550,000 for six months to be funded by Transit Operating. Justification: This emergency contract served as a bridge between prior contract and the successor contract. 4.4 Laundry Services for Inmates uniforms to vendor CYS Linen Service, Inc. Amount: \$624,000 for a term of 1 year with 2 (1 yr OTR) to be funded by Corrections General Fund. Justification: Due to recent security issues the Department has initiated a new 	



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			 4.5 Emergency Tree Service Contracts in Excess of \$100,000 to vendors Thomas Maintenance Service, Inc., Trompex Corporations, A Native Tree Service, Inc., Weed a Way, Inc. Amount: \$1,259,125 for a term starting 1-25-06 until completion to be funded by Parks and Recreation (\$200,000) and Public Works (\$1,259,125) General Fund. Justification: Hurricane Katrina and Wilma clean-up. 4.6 Emergency Diesel Fuel Contracts Valued in Excess of \$100,000 to vendor Urbieta Oil, Inc. Amount: \$984,852 to be funded by GSA (\$500,000 General Funds) and Transit (\$484,852 Operating and PTP). Justification: Hurricane Katrina and Wilma created County demand for fuel that exceeded the supply of its current pool contract for fuel. 	
16.	\ /	Bid Award Recommendations	 Sec. 1 Award of Competitive Bids 1.1 Ready Mix Concrete to vendor Central Concrete Supermix, Inc. Amount: \$2,655,000 for 5 years for 13 County Departments to be funded by General Operating Revenue, PTP and Federal dollars. Note: Only one bidder, because of price volatility of concrete few vendors willing to commit to 5 yr contract, additional vendors can be added provided they meet pre-qualified criteria Sec. 3 Contract Modifications 3.1 Liquid Chlorine by Rail to vendor Allied Universal Corp (local). Amount: \$1,621,500 increase of \$575,000 to be funded by Water and Sewer Operating Revenue. Type of Change: Additional spending Authority. Reason for Change: Continuous price increase in chlorine for the past two years (\$238 to \$425 per ton) and it is essential for treatment of potable water. 3.2 Liquid Chlorine to vendor Allied Universal Corp (local). Amount: \$1,900,000 increase of \$400,000 to be funded by Water and Sewer Operating Revenue. Type of Change: Additional spending Authority. Reason for Change: Continuous price increase in chlorine for the past two years and it is essential for treatment of waste water. 3.3 Uniform and Accessories to vendor Superior uniform Group, Inc.(local) Amount:\$617,775 increase of \$127,500 for 8 County Departments to be funded by General, Operating and PTP. Type of Change: Additional spending authority. Reason: 6 month extension of contract until the successor contract is fully evaluated. 3.4 Sign Blanks and Posts to vendor McCain Sales of Fla. Inc, (local) Amount: \$2,436,500 increase of \$1,500,000 for 6 County Departments to be funded by General Operating and PTP. Type of Change: Additional spending authority. Reason: Emergency replacement of signs from Hurricane Katrina and Wilma. 3.5 Safety Equipment and Supplies to 14 vendors (8 local and 6 non local) Amount: \$1,094,000 increase of \$100,000 for 14 County Departments to be funded by General, Operating Fire District, PTP and F	MBM



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			County Departments to be funded by General, Operating, Revenue, Federal, State and Homeless Trust Fund. Type of Change: Additional spending authority. Reasons: Contract extension until successor contracts, Some Departments increased their allocations based on projects and Hershell Gill decision affected a number of contracts that were not able to be renewed, extended or modified. Note: the County will not exercise option to renew for these contracts 3.7 Solid Sod, Prequalification of Vendors to 3 local vendors. Amount: \$1,034,185 increase of \$150,000 for 10 County Departments to be funded by General, Revenue, Operating, Fire District and Federal dollars for a term expiring in 10-31-06. Type of Change: Additional spending authority. Reason: Solid Waste is increasing its allocation to meet Landfill Division landscaping needs as required under court order Consent Agreement. 3.8 Fire Alarm System Sve to 2 local vendors. Amount: \$642,495 increase of \$167,543 for 10 County Departments using General, Federal Revenue and Operating Revenue dollars. Type of Change: Additional Spending and Time. Reason: Interim until successor contract is finalized and to become effective 3/2007 3.9 Collection and Recycling of used Oil Filters to Environmental Management Conservation Oil Corp (local). Amount: \$11,250 for 6 county departments to be funded by Revenue, General, Operating Revenue and Fire District dollars. Type of Change: Change Funding Source to PTP from Operating Reason: Use of Surtax dollars will be used based on the allocation model. Sec. 4 Purchase made under competitively awarded contracts of other Governmental entities 4.1 Laboratory Supplies and Equipment to Fisher Scientific Company LLC (non local). Amount \$2,112,902 increase of \$237,451 for 7 county departments funded by General, Operating, PTP, Proprietary and Fire District dollars. Contract expires 4/2007. Reason: To access the State of Florida contract, extend this contract with a prorated figure equal to the extension. Sec. 5 Options to Renew (OTR) 5.1 Re		
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17.	4A	Administration of County Business 7-18-06 through 9-8-06	To grant the County Manager temporary authorization to conduct official County business during the summer recess period		MBM

